

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:22CR259
)	
vs.)	
)	
RAFAEL HERNANDEZ,)	ORDER
)	
Defendant.)	

This matter is before the court on the defendant's, Motion to Continue Trial [19]. For the reasons set forth in the motion, the undersigned magistrate judge finds good cause to grant the continuance. Accordingly,

IT IS ORDERED that the Motion to Continue Trial [19] is granted, as follows:

1. The jury trial now set for February 28, 2023, is continued to **May 2, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and May 2, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. The Final Trial Order (Filing No. 18) is hereby vacated.

DATED: February 21, 2023

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge